

REMARKS

Upon entry of this amendment, Claims 1-13, 21 and 25-29 will be pending in the present application. Claims 14-20, 22-24 and 30-45 were previously cancelled. Claim 1 has been amended without prejudice and Applicants' reserve their right to pursue the deleted subject matter in one or more future applications. No new matter has been added.

Claims Are Novel

The Office has maintained its rejection of claims 1, 3, 6-9, 11-13, 21, 25-27, and 29, under 35 U.S.C. §102(b) for allegedly being anticipated by Yamada et al. (WO 2001/68586), and more specifically, by Example 92 therein. Applicants traverse and respectfully request reconsideration of the rejection.

In order to anticipate, the prior art must teach each and every aspect of the claimed invention. However, Yamada et al. does not teach each and every aspect of the present invention. For example, without conceding to the correctness of the Office's position and to merely advance prosecution, claim 1 has been amended wherein R³ cannot be aryl. Consequently, R³ of amended claim 1 cannot be the fluorene group of Yamada et al.'s Example 92; and thus Yamada et al. does not anticipate the present invention. Accordingly, the present invention is novel.

Because of the foregoing, the Office's objection to claims 2, 4, 5, 10 and 28, for being dependent upon a rejected base claim, is moot.

Early reconsideration and allowance is respectfully requested. No fee is believed due. However, the Commissioner is hereby authorized to charge any fee to deposit account no. 503201. The Office is invited to contact the undersigned if an interview would facilitate allowance of the claims.

Respectfully submitted,

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